

REMARKS

In the outstanding official action, claims 18, 21 and 22 were rejected under 35 USC 101 because the claimed invention was suggested to be directed to non-statutory subject matter. In response, claims 18 and 21 are herewith amended in order to clearly recite statutory subject matter (with claim 22 depending from claim 21), and it is respectfully submitted that these claims are now directed to statutory subject matter.

More particularly, claim 18 is now directed to a machine-readable product, while claims 21 and 22 are directed to a record medium comprising a desired content descriptor and means for reading the desired content descriptor.

On the merits, claims 1, 7-10, 12, 13, 16, and 19-22 were rejected under 35USC 102(b) as being anticipated by Kim, with dependent claims 2-6, 11, 14 and 15 being rejected under 35 USC 103(a) as being unpatentable over Kim in view of Ellis, all for the reasons of record.

In response, it is respectfully submitted that independent claims 1, 19 and 21 as herewith amended now recite subject matter which is clearly patentably distinguishable over the cited and applied art for the reasons detailed below.

More particularly, the present invention as currently claimed is directed to a method and device for recording content on a

record medium that contains a desired content descriptor, wherein the desired content descriptor is read from the record medium and the content of at least one multi-media source is scanned for desired content that matches the desired content descriptor, and then recording the desired content on the record medium.

This method and structure is clearly distinguishable over Kim in several respects. First, in the instant invention the desired content descriptor is provided on the record medium and is read therefrom, than being provided to portions of the recording device other than the record medium as in Kim. Second, the present invention is directed to providing a content descriptor, which may be, for example, one or more key words, multimedia samples or the like, and not merely the title of a program as taught by Kim. Additionally, the present invention contemplates scanning the content of at least one multimedia source and not merely the scanning of a broadcast program schedule.

In view of the foregoing amendments and remarks, it is respectfully submitted that independent claims 1, 19 and 21 and the remaining claims depending therefrom, are clearly patentably distinguishable over the cited and applied references.

Accordingly, allowance of the instant application is respectfully submitted to be justified at the present time, and favorable consideration is earnestly solicited.

Respectfully submitted,

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